

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE - S/S East Joppa Road, 200' E of the c/l of Danway Road (1507 E. Joppa Road) 9th Election District 4th Councilmanic District Morton Bassoff Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception to permit a 12' x 25' single-faced illuminated poster panel sign on the subject property and a variance from Section 238.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 0 feet in lieu of the required 30 feet, all as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by Donna Hayward, Real Estate Manager, for Penn Advertising of Baltimore, Inc., Contract Lessee, appeared, testified and was represented by Fred M. Lauer, Esquire. Appearing as Protestants in the matter were John Barry and Wayne Skinner.

Testimony indicated that the subject property, known as 1507 E. Joppa Road, consists of 1.199 acres more or less split zoned B.R. and B.R.-C.N.S., and is improved with a motel. Petitioner has entered into a contract to lease a small portion of the site to Penn Advertising of Baltimore for a 12' x 25' poster panel advertising sign. Petitioner testified the use proposed would not be detrimental to surrounding uses and cited the existence of numerous other signs in the immediate vicinity.

The Protestants testified they are generally opposed to the relief requested. Mr. Skinner and Mr. Barry testified that there is present-

ly too much signage on Joppa Road and that the proposed sign would only exacerbate the problem.

It should be noted that the Baltimore County Council, by Bill No. 87-91 which was passed earlier this year, specifically prohibited outdoor advertising signs in the B.R. zones. Previously, such signs were permitted by special exception in said zones. The Petitioner filed the instant Petition in the eleventh hour just prior to the enactment of the subject Bill in the hopes of obtaining one of the last outdoor advertising signs to be permitted by special exception in a B.R. zone.

It should also be noted that Petitioner received unfavorable comments from Pat Keller, Deputy Director of the Office of Planning, who requested that the Petitioner's request be denied given the change in the policy concerning such signs and the County Council's intent to eliminate outdoor advertising signs altogether in the B.R. zones.

After reviewing all of the testimony and evidence presented, it is clear the special exception should not be granted.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. In fact, the Petitioner has not shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have an adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

Inasmuch as the Petitioner's request for a special exception has been denied, the Petitioner's request for a variance need not be addressed. Therefore, the Petition for Zoning Variance shall be dismissed as moot.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special exception should be denied and the variance dismissed.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 15th day of October, 1991 that the Petition for Special Exception to permit a 12' x 25' single-faced illuminated poster panel sign on the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance from Section 238.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 0 feet in lieu of the required 30 feet, in accordance with Petitioner's Exhibit 1, be and is hereby DISMISSED AS MOOT.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 10/15/91
By [Signature]

- 3 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

October 15, 1991

Fred M. Lauer, Esquire
3001 Remington Avenue
Baltimore, Maryland 21211

RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE
S/S East Joppa Road, 200' E of the c/l of Danway Road
(1507 E. Joppa Road)
9th Election District - 4th Councilmanic District
Morton Bassoff - Petitioner
Case No. 92-58-XA

Dear Mr. Lauer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been denied and the Petition for Zoning Variance has been dismissed in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. John Barry
1551 Dellsway Road, Baltimore, Md. 21204

Mr. Wayne Skinner
1813 Edgewood Road, Baltimore, Md. 21234

People's Counsel

File

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for single-face one illuminated 12' x 25' poster panel.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract ~~Purchaser~~ Lessor:

Penn Advertising of Baltimore, Inc.
(Type or Print Name)

X Signature

3001 Remington Avenue

Address

Baltimore, Maryland 21211

City and State

Attorney for Petitioner:

Fred M. Lauer, Esq.
(Type or Print Name)

X Signature

36 South Charles Street, 2001 Remington Avenue

Address

Baltimore, Maryland 21204

City and State

Attorney's Telephone No.: 301-332-8662

Address

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day

of _____, 19____, that the subject matter of this petition be advertised, as

required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning

Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

County, on the _____ day of _____, 19____, at _____ o'clock

_____ M.

Zoning Commissioner of Baltimore County.

z.c.o.-No. 1 (over)

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 238.2 to allow side yard of 0' in lieu of the required 30'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

To be determined at hearing

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract ~~Purchaser~~ Lessor:

Penn Advertising of Baltimore, Inc.

(Type or Print Name)

X Signature

3001 Remington Avenue

Address

Baltimore, Maryland 21211

City and State

Attorney for Petitioner:

Fred M. Lauer, Esq.

(Type or Print Name)

X Signature

3001 Remington Avenue

Address

Baltimore, Maryland 21211

City and State

Attorney's Telephone No.: 301-332-8662

Address

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day

of _____, 19____, that the subject matter of this petition be advertised, as

required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning

Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

County, on the _____ day of _____, 19____, at _____ o'clock

_____ M.

Zoning Commissioner of Baltimore County.

z.c.o.-No. 1 (over)

ZONING DESCRIPTION

Beginning for the same at a point on the south side of Joppa Road (70 feet wide) said point lying 184 feet more or less east of the centerline of Danway Road (50 feet wide) measured along the right of way of Joppa Road. Thence leaving Joppa Road south 08 degrees 47 minutes 35 seconds east 147.74 feet to the north side of a 16 foot wide alley, thence along the north and west side of the alley the following courses and distances.

1. A distance of 296.84 feet measured along a curve to the left having a radius of 1039.69 feet. The chord of said curve being south 80 degrees 01 minutes 12 seconds east 295.82 feet.
2. north 65 degrees 43 minutes 50 seconds east 21.99 feet.
3. north 22 degrees 53 minutes 00 seconds east 159.36 feet.

Leaving said alley and running:

1. south 83 degrees 06 minutes 30 seconds west 244.92 feet.
2. north 08 degrees 53 minutes 30 seconds west 93.32 feet.

to intersect the south side of Joppa Road, thence along Joppa Road south 81 degrees 12 minutes 25 seconds west 140.03 feet to the place of beginning.

letters 91018DES



Richard [Signature]
Aug 12, 1991

REVISED PLANS
8-21-91
12-58-X
55

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 1st Date of Posting 10/15/91
Posted for [Signature]
Petitioner [Signature]
Location of property [Signature]
Location of Sign [Signature]
Remarks [Signature]
Posted by [Signature] Date of return 10/15/91
Number of Signs 1

CERTIFICATE OF PUBLICATION

Pikesville, Md. 9/25/91
THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore County, Maryland before the 26th day of Sept 1991
the first publication appearing on the 25th day of Sept 1991
the second publication appearing on the 26th day of Sept 1991
the third publication appearing on the 27th day of Sept 1991

THE NORTHWEST STAR

Manager

Cost of Advertisement \$36.00

RECEIVED
SEP 26 1991
ZONING OFFICE



County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING, ROOM 316
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
Hearing Room -
Room 48, Old Courthouse
400 Washington Avenue
(301) 887-3180
January 15, 1992

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 92-58-XA MORTON BASSOFF
S/s E. Joppa Rd., 200' E of
c/l of Danway Rd. (1507 E. Joppa Rd.)
9th Election District;
4th Councilmanic District
SE-Illuminated sign;
VAR-side yard setback
10/15/91 - D.Z.C.'s Order DENYING
Petition.

ASSIGNED FOR: WEDNESDAY, APRIL 29, 1992 AT 10:00 a.m.

cc: Fred M. Lauer, Esquire - Counsel for Contract Purchaser

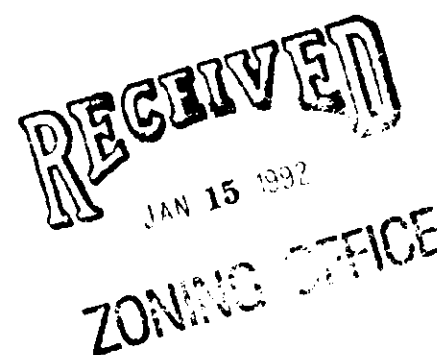
Penn Advertising, Inc. - Contract Purchaser/Appellant

Mr. Morton Bassoff - Petitioner

Mr. John Barry

Mr. Wayne Skinner
People's Counsel for Baltimore County
P. David Fields
Pat Keller
Public Services
Lawrence E. Schmidt
Timothy M. Kotroco
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning
Administration

LindaLee M. Kuszmaul
Legal Secretary



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
Hearing Room -
Room 48, Old Courthouse
400 Washington Avenue
(410) 887-3180
April 2, 1992

NOTICE OF POSTPONEMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 92-58-XA MORTON BASSOFF
S/s E. Joppa Rd., 200' E of
c/l of Danway Rd. (1507 E. Joppa Rd.)
9th Election District;
4th Councilmanic District
SE-Illuminated sign;
VAR-side yard setback
10/15/91 - D.Z.C.'s Order DENYING
Petition.

which was scheduled for hearing on April 29, 1992 has been POSTPONED at the request of Petitioner and will not be reset at this time.

cc: Fred M. Lauer, Esquire - Counsel for Contract Purchaser

Penn Advertising, Inc. - Contract Purchaser/Appellant

Mr. Morton Bassoff - Petitioner

Mr. John Barry

Mr. Wayne Skinner
People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning
Administration

LindaLee M. Kuszmaul
Legal Secretary



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
Hearing Room -
Room 48, Old Courthouse
400 Washington Avenue
(410) 887-3180
December 8, 1992

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 92-58-XA MORTON BASSOFF
S/s E. Joppa Rd., 200' E of
c/l of Danway Rd. (1507 E. Joppa Rd.)
9th Election District;
4th Councilmanic District
SE-Illuminated sign;
VAR-side yard setback
10/15/91 - D.Z.C.'s Order DENYING
Petition.

ASSIGNED FOR: THURSDAY, FEBRUARY 18, 1993 AT 1:00 p.m.

cc: Fred M. Lauer, Esquire - Counsel for Contract Purchaser

Penn Advertising, Inc. - Contract Purchaser/Appellant

Mr. Morton Bassoff - Petitioner

Mr. John Barry

Mr. Wayne Skinner
People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning
Administration

LindaLee M. Kuszmaul
Legal Secretary

ITEM # 55
DATE: 8-13-91

PETITION CHECKLIST

Before the above petition can be accepted for filing, the following items must be corrected/included:

- Section information has been typed in. Please check and return to top drawer.
- Item number must be on all papers in the file folder.
- Item number must be in ink (pencil does not copy well).
- Item number generated by computer (on receipt) is not the same as item number on material in folder and/or pink sheet.
- Section information missing on petition forms.
- Not "original" signatures on all copies of petition forms.
- Owner's name address and/or telephone number is not on petition forms.
- Need signature and printed name and title of person signing for company. (CONTRACT LESSOR)
- Need an attorney.
- "Red stamp" or closing information is not on petition form.
- Following information is missing on the file folder:
 - Petitioner's name
 - Item number
 - Description
 - Actual address
 - zoning
 - acreage
 - election district
 - councilmanic district
- Need 12 plats. Only in folder.
- Plats need to be folded to 8-1/2" x 11".
- There is a difference in date between date taken in and date put in drawer for agenda. Put a note in the folder explaining this.
- No DESCRIPTIONS (3).
- No 200 SCALE MAP.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

January 27, 1993

Mr. Wayne Skinner
The Associates of Loch Raven Village, Inc.
P.O. Box 9721
Towson, Maryland 21204-1221

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
S/s East Joppa Road, 200' E of the c/l of Danway Road
(1507 E. Joppa Road)
9th Election District - 4th Councilmanic District
Morton Bassoff - Petitioner
Case No. 92-58-XA

Dear Mr. Skinner:

This office is in receipt of your letter dated November 30, 1992 regarding the above-captioned matter. It appears from the substance of your letter that you are requesting a legal opinion concerning some County Council legislation and its effect on the special exception case previously denied by me.

I do not believe it is appropriate for me to render a legal opinion on this matter, given my status as an independent hearing officer. The questions raised in your letter would be better directed to private counsel in the event you choose to employ an attorney.

I apologize for not being able to assist you and wish you luck in your future endeavors.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: file

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

August 13, 1991

Morton Bassoff
1507 East Joppa Road
Towson, MD 21204

RE: Petition Filed in Zoning Office
Item Number 55

Dear Petitioner:

This letter is to inform you that your Petition for Special Exception has been placed on the agenda for the week of August 20, 1991 due to the fact that the Contract Lessor, Penn Advertising of Baltimore Inc., insisted on filing. However, there are many technical problems with this petition. According to our records, this Petition was filed on August 7, 1991 with Mitchell J. Kellman.

If you have any questions regarding your petition, you must contact Mr. Kellman at 887-3391 to rectify the problem.

Very truly yours,

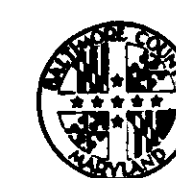
J. Robert Holmes

J. Robert Holmes
Zoning Commissioner

JRH:scj

cc: Penn Advertising of Baltimore, Inc.
Fred Lauer, Esquire

92-58-X



COUNTY COUNCIL OF BALTIMORE COUNTY
COURT HOUSE, TOWSON, MARYLAND 21204

DOUGLAS B. RILEY
COUNCILMAN FOURTH DISTRICT

COUNCIL OFFICE 887-3389
887-3190

MEMORANDUM

TO: Lawrence Schmidt, Esquire
Zoning Commissioner

FROM: Douglas B. Riley
Council Member, Fourth District

DATE: October 18, 1991

SUBJ: Case #92-58, Bassoff Property, Item #55

Enclosed is a copy of a letter I received from Martha Clarke, President of the Towson Estates Association, outlining her Association's concern about the outdoor advertising sign proposed for Joppa Road. As Martha's letter is addressed to you, I am forwarding this copy in the unlikely event that you missed it the first time.

DBR:akd

cc: Mrs. Martha Clarke

SCHMIDT.MEM/TXTAKD

THE ASSOCIATES OF
LOCH RAVEN VILLAGE
INC.

November 11, 1991

Mr. Douglas B. Riley
Council Member, Fourth District
111 West Chesapeake Avenue
Towson, MD 21204

Dear Mr. Riley:

I am writing to you regarding the petition for a special exception for an outdoor advertising sign proposed for Joppa Road. The petition was filed on August 7, 1991 with Mitchell J. Kellman. The petition was denied on August 13, 1991. The petition was denied because it did not meet the requirements of the Zoning Ordinance.

On October 18, 1991, I received a letter from Martha Clarke, President of the Towson Estates Association, outlining her Association's concern about the outdoor advertising sign proposed for Joppa Road. As Martha's letter is addressed to you, I am forwarding this copy in the unlikely event that you missed it the first time.

I am writing to you regarding the petition for a special exception for an outdoor advertising sign proposed for Joppa Road. The petition was filed on August 7, 1991 with Mitchell J. Kellman. The petition was denied on August 13, 1991. The petition was denied because it did not meet the requirements of the Zoning Ordinance.

Sincerely,

Wayne Skinner
Wayne Skinner
President, The Associates of Loch Raven Village, Inc.

cc: Mr. Douglas B. Riley
Council Member, Fourth District
111 West Chesapeake Avenue
Towson, MD 21204



P.O. BOX 9721 • TOWSON, MARYLAND • 21204-1221

1/15/92 - Following parties notified of hearing set for April 29, 1992 at 10:00 a.m.:

Fred M. Lauer, Esquire
Penn Advertising, Inc.
Mr. Morton Bassoff
Mr. John Barry
Mr. Wayne Skinner

People's Counsel for Baltimore County
P. David Fields
Pat Keller
Public Services

Lawrence E. Schmidt
Timothy M. Kotroco
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon

3/27/92 -Letter from Fred Lauer, Penn Advertising, requesting postponement of above matter pending outcome of Case No. 91-206-X /J. R. Brothers, Inc.

4/2/92 - Above parties notified of POSTPONEMENT at the request of Petitioner. Not to be reset at this time.

12/8/92 - Above parties notified of hearing assumed for February 18, 1993 at 1:00 p.m. pursuant to request of Counsel for Petitioner.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

February 24, 1993

Fred M. Lauer, Esquire
Penn Advertising of Baltimore, Inc.
P.O. Box 4868
Baltimore, MD 21211

RE: Case No. 92-58-XA
Morton Bassoff

Dear Mr. Lauer:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Sincerely,

Kathleen C. Weldenhammer
Kathleen C. Weldenhammer
Administrative Assistant

encl.

cc: Mr. Morton Bassoff
Mr. John Barry
Mr. Wayne Skinner
People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning Admin.

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE COUNTY BOARD OF APPEALS
AND ZONING VARIANCE
S/S E. Joppa Rd., 200' E of : OF BALTIMORE COUNTY
C/L of Dunway Rd. (1507 E. :
Joppa Rd.), 9th Election Dist. : Zoning Case No. 92-58-XA
4th Councilmanic Dist. :
MORTON BASSOFF, Owner; :
PENN ADVERTISING OF BALTIMORE, :
INC., Contract Lessor/ :
Appellant :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-2188

I HEREBY CERTIFY that on this 18th day of February, 1992, a copy of the foregoing Entry of Appearance was mailed to Fred M. Lauer, Esquire, P.O. Box 4868, Baltimore, MD 21211, Attorney for Contract Purchaser/Appellant; John Barry, 1551 Dellway Rd., Baltimore, MD 21204; and Wayne Skinner, 1813 Edgewood Rd., Baltimore, MD 21234, Protestants.

Phyllis Cole Friedman
Phyllis Cole Friedman

IN THE MATTER OF
THE APPLICATION OF
MORTON BASSOFF
FOR A SPECIAL EXCEPTION AND
VARIANCE ON PROPERTY LOCATED
ON THE SOUTH SIDE OF EAST JOPPA
ROAD 200 FEET EAST OF THE
CENTER LINE OF DUNWAY ROAD
(1507 EAST JOPPA ROAD)
9TH ELECTION DISTRICT
4TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 92-58-XA

OPINION

This case comes before this Board on appeal from an Order of the Deputy Zoning Commissioner denying the requested Special Exception for an illuminated sign and thereby rendering moot the request for a side yard setback variance.

Tax assessment records and testimony indicated that the owner of the subject property is no longer Morton Bassoff, but Panakjumar Patel. The Contract Purchaser/Appellant is Penn Advertising, Inc.

The first witness for the Appellant was Donna Hayward, real estate manager for Penn Advertising of Baltimore, who testified that she had spoken to the new owner that morning and he had agreed to the sign, for which Penn Advertising had a contract with the previous owner.

Ms. Hayward testified that the Appellant is requesting a Special Exception to allow one single-face 12-foot by 25-foot sign facing east on the subject property, which is presently improved with the Towson East Motel.

William Monk, an expert witness in the area of land use planning, introduced as Petitioner's Exhibit No. 2 an Official Zoning Map showing the areas of Joppa Road on either side of the subject property that are zoned commercially outlined in pink. He also introduced as Petitioner's Exhibit No. 4 a set of photographs showing commercial uses of properties to the east, west and north of the subject property.

In addition, Mr. Monk introduced as Petitioner's Exhibit No. 5 an Official Baltimore County Commercial Motorways Map showing Joppa Road between York and Harford Roads, where the subject property is located, to be a Class II Commercial Motorway, on which commercial uses are properly located.

Mr. Monk testified that the residentially zoned row home community immediately behind

Case No. 92-58-XA Morton Bassoff

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the subject property sits 8 to 9 feet below it and that an existing row of evergreen trees 15 feet to 30 feet in height would act as a buffer between the row homes and the proposed sign.

Mr. Monk further testified that the proposed sign complies with all applicable requirements of Sections 413.3 and 413.5 of the Baltimore County Zoning Regulations (BCZR). He stated that the sign will be 300 square feet with a single pole mount, and that the leading face of the sign is set back approximately 47 feet from the property line and 58 feet from the curb. He also testified that the maximum height of the sign will not exceed 25 feet, and that the nearest outdoor advertising sign is approximately one-third mile to the east.

Mr. Monk testified that the Appellant is asking for a variance to allow a 2-foot side yard setback because the 30-foot side yard setback requirement would create hardship and practical difficulty in that it would place the sign in the middle of the entrance way of the motel.

On cross examination by Peter Zimmerman, People's Counsel for Baltimore County, Mr. Monk stated that there are presently three signs on the subject property: a 17-by-30-foot motel sign facing westbound traffic, an 8-by-10-foot sign on the roof of the motel, and a wall-mounted sign consisting of letters on the front of the building.

John W. Erdman, an expert witness in traffic engineering, testified that, based on a review he had made of existing research on outdoor advertising signs and traffic safety, he believed that the proposed billboard would not create a traffic safety hazard. He further testified that the sign would not create a problem with sight distance for motorists coming out of the motel.

Testifying in opposition to the Special Exception and variance requests was Wayne Skinner, who lives about one-quarter mile from the subject property, in Loch Raven Village, a community of 1,400 row homes. Mr. Skinner, who is president of the Towson-Loch Raven Community Association, introduced into evidence a section of the Loch Raven Village Community Conservation Plan, adopted by the Baltimore County Council, which recommends a study of the Joppa Road corridor from Mylander Lane to Oakleigh Road. The proposed study would address, among other things, the problem of visual clutter.

Mr. Skinner testified that in his opinion the proposed sign would have an adverse effect on the neighborhood. He stated that that part of Joppa Road already has a lot of very large signs and the addition of the proposed sign would hurt the community's effort to clean up Joppa Road.

Case No. 92-58-XA Morton Bassoff

3

John Barry, who lives five or six blocks away from the subject property, in Loch Raven Village, testified that he could understand the need for signs identifying businesses along Joppa Road, but that having billboards advertising businesses not located there adds unnecessarily to the clutter.

Jeffrey Long, an Area Planner for the Office of Planning and Zoning, testified that his office's position is that the unique scale of outdoor advertising signs compromises traffic safety, and that the office is concerned with visual clutter and competitive waste; i.e., that when some businesses in an area put up large signs, it causes other businesses in the area to try to compete by putting up larger signs as well.

The Board notes that the subject site already has three signs, one of them quite large, identifying the Towson East Motel. The fact that a 28-foot side yard setback variance would be necessary to allow construction of the sign is a clear indication, in the Board's opinion, that erection of the proposed sign would indeed be over-building on the site and would result in undesirable visual clutter. This Board finds, therefore, that the proposed sign would be detrimental to the general welfare of the locality involved and it would tend to overcrowd the land; therefore, the Appellant has not met the requirements of Section 502.1-a and 502.1-b of the BCZR.

Furthermore, Section 307.1 of the BCZR states that variances may be granted where strict compliance with zoning regulations would result in practical difficulty or unreasonable hardship. To prove practical difficulty for an area variance, the Appellant must produce evidence to allow the following questions to be answered affirmatively:

1. Whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. Whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. Whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderston v. Bd of Appeals, Town of Chesapeake Beach, 22Md. App. 28 (1974).

The Board finds that strict compliance with the side yard setback would not prevent the use of the property for a permitted purpose and render conformance unnecessarily burdensome because

Case No. 92-58-XA Morton Bassoff

4

the owner already has a use for the property in the motel and the property can thus be used without the requested variance.

ORDER

IT IS THEREFORE this 24th day of February, 1993 by the Board of Appeals of Baltimore County

ORDERED that the Petition for Special Exception to permit a 12-foot by 25-foot single-faced illuminated poster panel sign as portrayed in Petitioner's Exhibit No. 6 be and is hereby DENIED.

IT IS FURTHER ORDERED that the Petition for Zoning Variance from Section 238.2 of the Baltimore County Zoning Regulations to permit a side yard setback of 2 feet in lieu of the required 30 feet, in accordance with Petitioner's Exhibit No. 6, be and is hereby DISMISSED AS MOOT.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

Judson H. Lipowitz
Judson H. Lipowitz

S. Diane Levero
S. Diane Levero

Penn Adv.

PENN ADVERTISING OF BALTIMORE, INC.

March 25, 1992

Board of Appeals
Baltimore County
Old Court House
Room 49
400 Washington Avenue
Towson, Maryland 21204

re: Case No. 92-58-XA
Petition for Special Exception
and Zoning Variance S/S E. Joppa
Road, 200' E. of the C/L of Dunway
Road (1507 E. Joppa Road)
9th Election District, 4th Councilmanic District

Dear Board,

On behalf of the petitioner, we would request a postponement on the above mentioned matter scheduled for April 29, 1992 at 10:00 a.m. The reason for requesting this postponement is that the property in question is located in a BR Zone. The Board of Appeals now has a motion to dismiss a pending appeal in Case No. 91-206-X. The outcome of the Board's ruling on that matter will determine whether this case can go forward.

I have spoken to Mr. Peter Max Zimmerman, Deputy People's Counsel and he has stated that they have no objection to this postponement. We will reschedule or withdraw this case based upon the Board's determination in the other pending case.

Thank you for your consideration.

Very truly yours,

Fred M. Lauer
Fred M. Lauer, esq.

FML:km

cc: Mr. John Barry
Mr. Morton Bassoff
Ms. Phyllis Cole Friedman
Mr. Wayne Skinner
Mr. Peter Max Zimmerman
Mr. James W. Fisher II

Penn Adv.

PENN ADVERTISING OF BALTIMORE, INC.

November 11, 1991

Zoning Commissioner
Baltimore County
Baltimore County Office Bldg.
Room 113
Towson, Maryland 21204

RE: Petitions for Special
Exception and Zoning Variance
S/S E. Joppa Road, 200' E of
C/L of Danway Road
9th Election District
4th Councilmanic District
Morton Bassoff - Petitioner
Case No. 92-58-XA

Dear Sir/Madam:

Please enter an appeal in the above captioned proceeding on behalf of Penn
Advertising of Baltimore, Inc.

Enclosed is a check for \$350.00 which covers the appeal fees and the sign
posting.

Thank you for your attention to this matter. Please let me know if
additional information is necessary.

Very truly yours,

Fred M. Lauer
Fred M. Lauer, esq.

FML/adw

Enclosure

cc: Mr. James M. Fisher, II
Ms. Donna T. Hayward
Mr. Morton Bassoff

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

Joppa Rd
NAME ADDRESS
JOHN BAREY 1557 DELLSWAY ROAD
ANNE SKINNER 1803 EDENWOOD RD 21214

***HARRIS** PROGRAM 870260
08/15/91

STATE OF MARYLAND

PAGE 1

MOTOR VEHICLE TRAFFIC ACCIDENTS

ADMINISTRATIVE SUMMARY

FOR THE PERIOD 01/01/91 TO 03/31/91

AREA - STATEWIDE

PERIOD AND YEAR COMPARISONS

	THIS PERIOD	TO DATE
	LAST YEAR	THIS YEAR
FATAL ACC.	124	124
P.I. ACC.	9766	9766
P.O. ACC.	12319	12319
TOTAL	22209	22209
TOTAL KILLED	135	135
PEOS. KILLED	30	30
TOTAL INJURED	16079	16079
PEOS. INJURED	884	884
TOTAL	16214	16214

TRAFFIC ACCIDENTS BY CLASSIFICATION

	NO.	NO.	NO.	NO.	NO.	TOTAL	PERCENT
	FAT. ACCS.	KILLED	INJ. ACCS.	INJURED	PRDP. DAM.	1990	1991
N.V. IN TRANSPORT	58	65	5690	12279	6149	3492	50.1%
PARKED MOTOR VEHICLE	0	0	318	432	11	23	15.7%
N.V. ON OTHER ROADWAY	0	0	12	21	11	23	00.1%
PEDESTRIAN	25	25	672	714	31	728	03.3%
PEDESTRIAN	1	1	142	147	19	161	00.7%
PEDESTRIAN	0	0	2	2	4	4	00.0%
OTHER PED CONVEYANCE	0	0	30	43	220	250	01.1%
ANIMAL	0	0	0	0	0	0	00.0%
RAILWAY TRAIN	0	0	1718	2175	2457	4206	18.0%
FIXED OBJECT	31	35	28	37	97	125	00.6%
OTHER OBJECT	0	0	83	136	28	114	00.5%
OVERTURNED	0	0	67	82	141	208	00.9%
OTHER NON-COLLISION	124	135	9766	16079	12319	22209	100.0%
TOTAL	00.6%	00.6%	44.0%	55.5%	55.5%	100.0%	

**PETITIONER'S
EXHIBIT 2**

**PETITIONER'S
EXHIBIT 3A**

*Petitioner's
Exhibits 3A + 3B
Photographs
Case 92-58-XA*

**PETITIONER'S
EXHIBIT 3B**

Penn Adv.

PENN ADVERTISING OF BALTIMORE, INC.

BALTIMORE COUNTY BUSINESSES
USING OUTDOOR

A & M Jewelers
ADT
All Star Video
Allstate Insurance Co.
Associated Catholic Charities
Baltimore School of Cosmetology
Baltimore RV Show
Baltimore County Travel
Barbera Business Systems
Beal GMC
Bell Atlantic
Blake Realty
Bob Bell Chevrolet
Breton Woods
CareFirst
Carpet Land, Inc.
Century 21
Charles Nusinov & Sons
Cockeysville Schwinn
Cohen, Snyder, McClellan, Eisenberg & Katzenberg, P.A.
Columbia Freestate
Comcast
Dormans Lighthouse
Dundalk Community College
Dunfield Apartments
Eastpoint Mall
Essex Elks Lodge #1866
First National Bank
Frank Moran & Sons
Garon's Ethan Allen Galleries
Gentleman's Quarters
Greater Baltimore Board of Realtors
Greetings & Readings
Hamburgers
Hardes Food Systems
Heat Pump Association
Hechingers
Henderson Webb
Hohne Pool & Spa
Home Builders Association
Home Exterminator
Jay Perkin's Golf
Jewish Charities
Judy's Wave Length

**PETITIONER'S
EXHIBIT 4**

P.O. Box 4868, Baltimore, MD 21211 Shipping: 2930 Remington Ave., Baltimore MD 21211 (301) 235-8820

Penn Adv.

PENN ADVERTISING OF BALTIMORE, INC.

INVENTORY - BALTIMORE COUNTY LOCATIONS
1980 - 1991

YEAR	FACES	# OF LOCATIONS
1980	331	189
1991	227	130
# LOSS	104	59

REDUCTION OF APPROXIMATELY 33% OF INVENTORY IN 10+ YEARS

ZONING DISTRICTS - 1991

ZONE	NUMBER	PERCENT
Business Local (B.L.)	58	45%
Business Major (B.M.)	9	07%
Business Roadside (B.R.)	27	21%
Manufacturing Light (M.L.)	22	17%
Manufacturing Heavy (M.H.)	10	07%
*Other	4	03%
TOTAL	130	100%

*Constructed prior to 1945, and approved by Zoning Commission.

**PETITIONER'S
EXHIBIT 5**

P.O. Box 4868, Baltimore, MD 21211 Shipping: 2930 Remington Ave., Baltimore MD 21211 (301) 235-8820

Penn Adv.

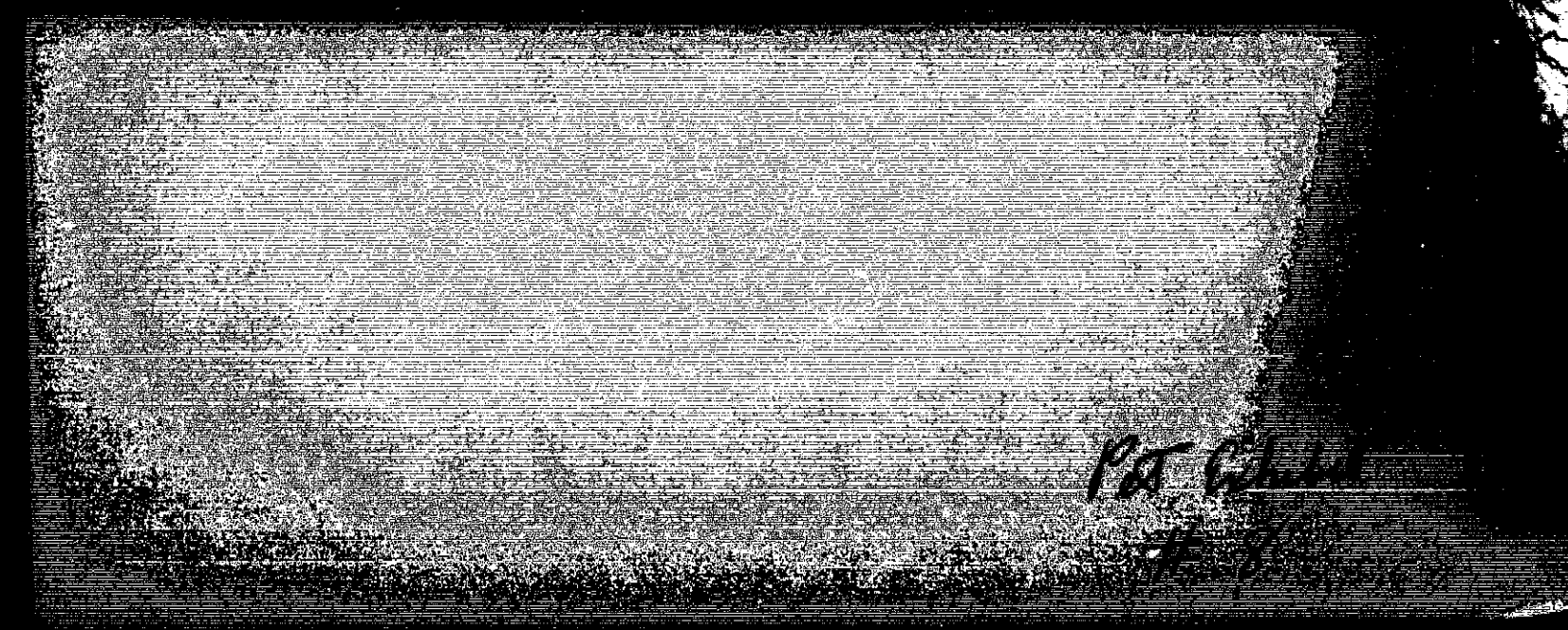
BALTIMORE COUNTY BUSINESSES
OUTDOOR ADVERTISERS 1992

(Excludes Public Service and Product Advertisers)

A & M Jewelers
ABC Rental
Allstate Leasing
Archdiocese of Baltimore
Baltimore Studio Hair Design
Baltimore County Chamber of Commerce
Baltimore County Housing
Basics
Beal GMC
Bell Atlantic
Bell Carpet
Blaine Newcome Remax
Blake Realty
Bob Bell Chevrolet
Boyle Buick
Breton Woods
Burger King
Card Connection
Care First
Carney Chiropractic Care
Catholic High School
Chesapeake Bay Knife
Chesapeake Power
Clarks Do It Center
Coca-Cola
Colonnade Imaging
Commercial Tite
Connelly Funeral Home
Cummins Appliance
DM Distributors
Door & Window Gallery
Dundalk Community College
Durkee Kitchens
Eastern Animal Hospital
Eastpoint Mall
Edward Arthur Jewelers
For Pet's Sake
Forthubers Florist
G. Briggs
Garlands Garden Center
Hair Cuttery
Hechingers
Heritage Auto
Hess Shoes
Hohne Pool & Spa
Home Exterminator

"Billboards . . . Signs of Economic Vitality"

Pet Ex. 1



Pet. Ex. 10
WILLIAM MONK, INC.
LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

WILLIAM MONK, INC.
Courthouse Commons
222 Bosley Avenue, Suite B-7
Towson, Maryland 21204-4300



Pet. Ex. 9

Literature Search
Effect of Outdoor
Advertising Signs on Safety

Prepared by: Erdman and Associates, Inc.
February 18, 1993



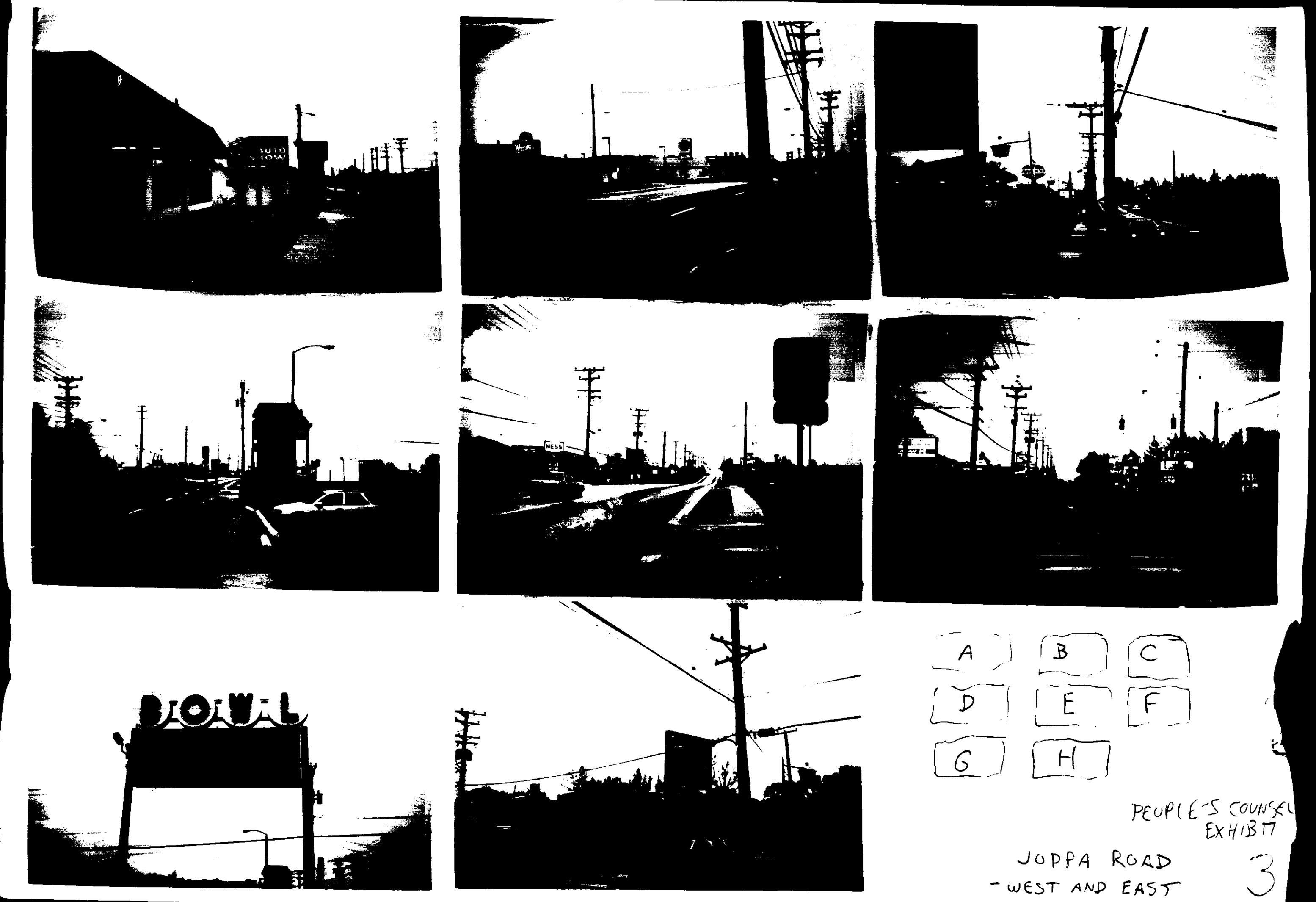
A

B

PEOPLE'S
COUNSEL
2 EXHIBIT
MOTEL AND
SURROUNDING



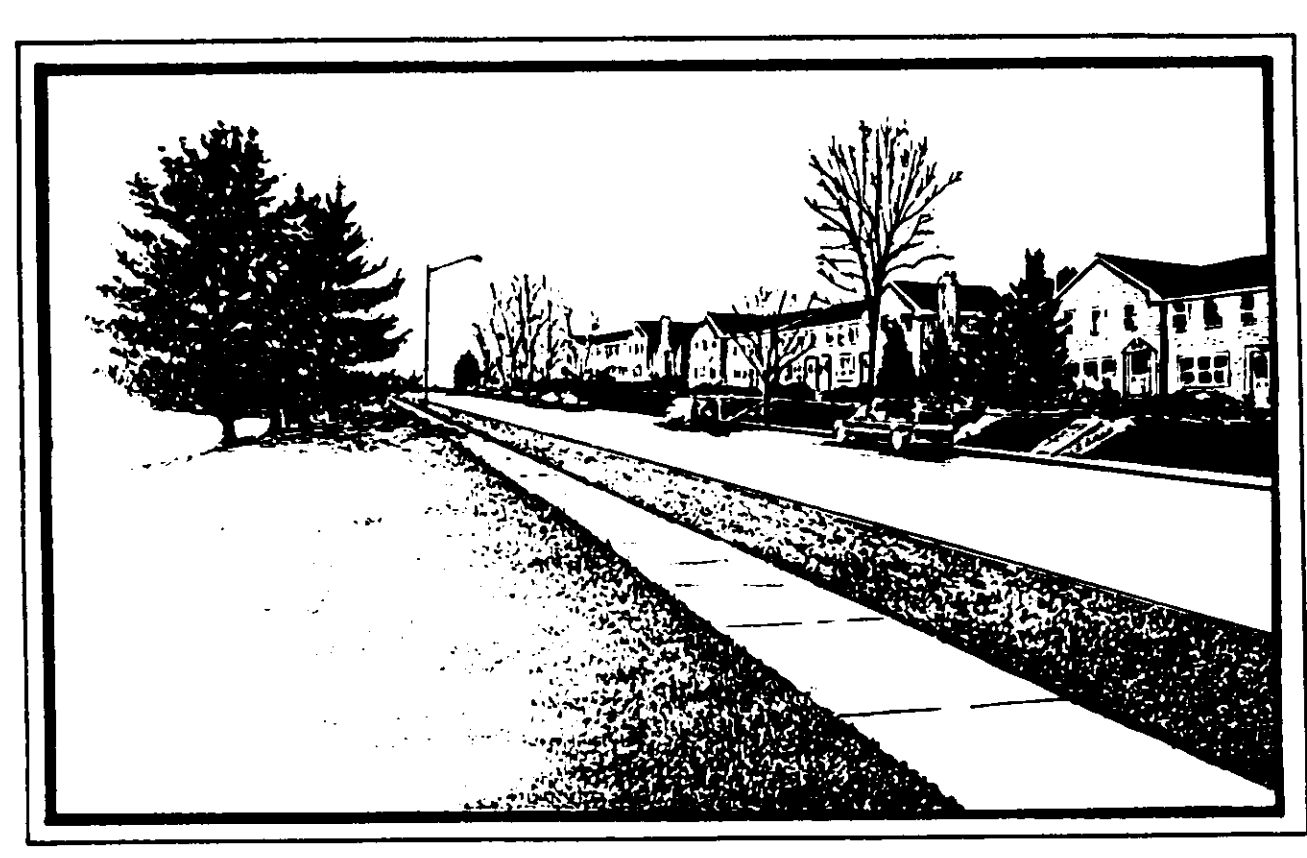
C



A	B	C
D	E	F
G	H	

PEOPLE'S COUNSEL
EXHIBIT 3

JOPPA ROAD
- WEST AND EAST



PEOPLE'S
COUNSEL
EXHIBIT 4

•Baltimore County•Focus on Community•

LOCH RAVEN VILLAGE
COMMUNITY
CONSERVATION PLAN

As Adopted By The Baltimore County Council on April 6, 1992

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ECONOMIC DEVELOPMENT

Memorandum

TO: Patty Beere, Office of Planning & Zoning
Tom Hamer, Department of Public Works
John Sullivan, ZADM
Lisa Keir, Aide, 4th Councilmanic District
Wayne Skinner, Chairman of LRVCCP

FROM: Phyllis Taylor

DATE: January 28, 1993

RE: Loch Raven Village Community Conservation Plan
Task Force Committee Meeting

PEOPLE'S
COUNSEL
EXHIBIT 5B

Please be advised that the Loch Raven Village Community Conservation Plan Task Force committee has scheduled its first meeting for Thursday, February 18 at 3:00 p.m. It will be held in the Executive Conference Room, Mezzanine Level, Courthouse, 400 Washington Avenue, Towson, Maryland 21204.

If you are unable to attend, please contact me at 887-8000. I look forward to seeing you on the 18th.

PT/vw

BALTIMORE COUNTY
DEPARTMENT OF ECONOMIC DEVELOPMENT

Memorandum

TO: P. David Fields, Director, OPZ
Gene L. Neff, Director, Public Works
Arnold Jablon, Director, ZADM
Lisa Keir, Aide, 4th Councilmanic District
Wayne Skinner, Loch Raven Community Conservation Plan Chairman

FROM: E. Neil Jacobs, Executive Director
Department of Economic Development

DATE: December 2, 1992

RE: Loch Raven Village Community Conservation Plan

PEOPLE'S
COUNSEL
EXHIBIT 5A

As you may know, The Associates of Loch Raven Village, Inc. submitted a community conservation plan to Baltimore County which was adopted in April, 1992 by the County Council.

Wayne Skinner, Chairman for the Loch Raven Village Plan, has met with the Department of Economic Development, as well as other agencies throughout the County for assistance in the implementation of the Plan.

Due to the nature of the issues and the County's budgetary constraints and concerns, we feel the best approach would be the utilization of in-house resources. According to the Loch Raven Village Community Conservation Plan, the group's priorities are re-evaluation of zoning, elimination of visual clutter and addressing traffic problems (curb cuts, parking, driving speeds). As has been discussed with the community group, the best method to achieve these goals is to create a "task force committee" that would meet several times to examine the issues and work on specific recommendations for the commercial corridors. It should be comprised of County representatives, nearby residents and businesses. We will assign a Revitalization Coordinator to be a liaison from the Department of Economic Development.

In that regard, we are eager to help the Loch Raven community and will need your cooperation by assigning a staff person to this project. If you would provide me with the name of that person no later than December 30, 1992, it would be helpful in getting the project started.

Please let me know if I can provide further information regarding the above suggestions.

ENJ:bb

C: Phyllis Taylor

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Administration and
Development Management

DATE: September 19, 1991

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Bassoff Property, Item No. 55-# 92-58-XA

The petitioner requests a Special Exception for an illuminated 12' x 25' advertising sign and a variance from section 238.2 of the Baltimore County Zoning Regulations to allow a side yard of '0 in lieu of the required 30'.

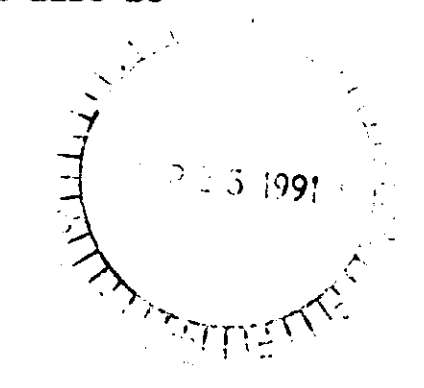
Staff believes the control of outdoor advertising signs is essential in protecting the health, safety and welfare of the citizens of Baltimore County. In certain locations, the unique scale and design of outdoor advertising signs clearly compromises public safety and traffic safety, since these signs are distracting. The very purpose of an outdoor advertising sign is to attract the attention of the operator of motor vehicles, so that a commercial message is noticed.

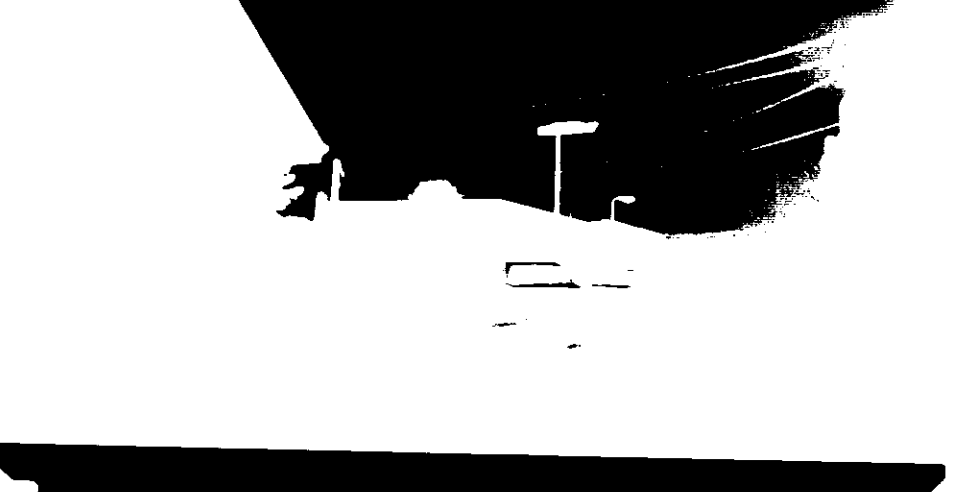
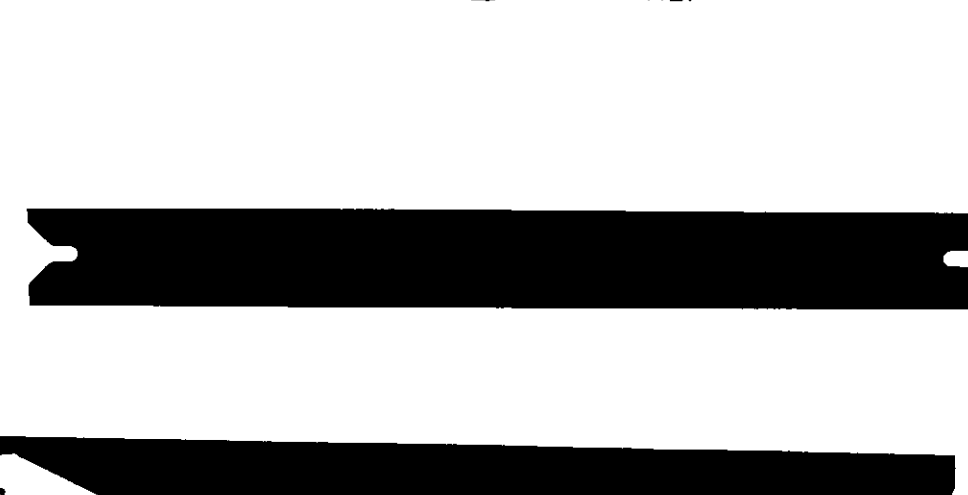
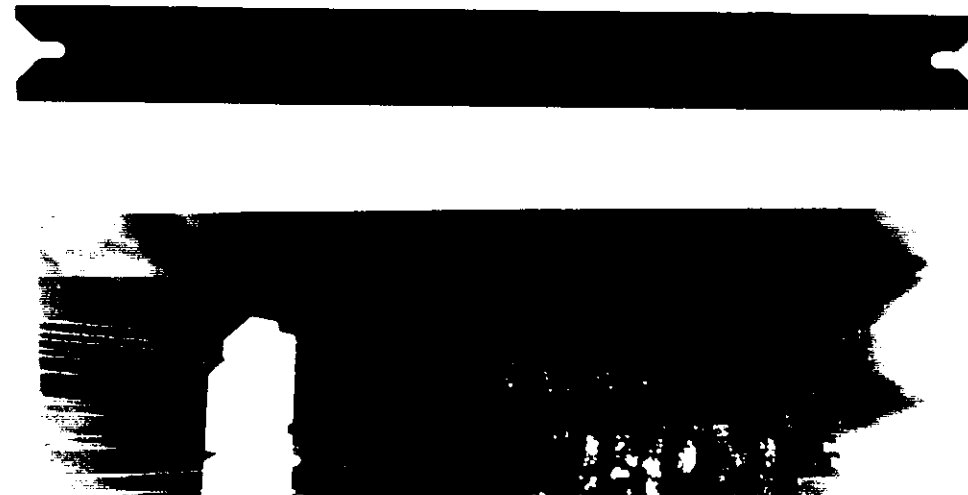
This office recognizes that high standards for signs enhance the aesthetic appearance of the community and the ability of the commercial sector to thrive in an attractive environment.

In many commercial areas it is difficult to locate commercial uses: not because of a general lack of signs, but because of excessive sign size which has been exacerbated by competitive waste. In many areas of the county, some business people increase signage in order to compete with each other for attention.

The Baltimore County Master Plan makes several references to the importance of controlling signage, specially on Page 74, in the following issue is identified:

"The sign regulations need to be completely updated and revised. The regulations should distinguish between new and existing signs, as well as public and private signage. Incentives for... phasing out nonconforming uses should be evaluated. Compliance with adopted local community plans should also be considered."





Knettishall Improvement Association, Inc.
P. O. Box 9738 • Towson, Maryland 21204

October 6, 1991

Mr. Lawrence Schmidt
Zoning Commissioner
111 West Chesapeake Avenue
Towson, Md. 21204

RE: Case #92-58

Dear Mr. Schmidt:

The Knettishall Improvement Association, Inc. strongly recommends that the special exception and variance requested in case #92-58 be denied. We feel that the Joppa Road area is already too cluttered, and that this proposed billboard would only add unfavorably to that clutter.

Our concerns for this area of Joppa Road agree with those of The Loch Raven Village Community, as we are a part of their community conservation plan.

We again strongly recommend denial of the special exception and variance requested in case #92-58.

Sincerely,

Dale E. Livingston
Dale E. Livingston
President

PROTESTANT'S
EXHIBIT 2

THE ASSOCIATES OF LOCH RAVEN VILLAGE INC.

September 15, 1991

Mr. Lawrence Schmidt
Zoning Commissioner
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Case #92-58

Dear Mr. Schmidt:

The Associates of Loch Raven Village strongly recommend that the special exception and variance requested in case #92-58 be denied. The proposed billboard does not favorably affect the Joppa Road area and would significantly add to visual clutter in this area of the Joppa Road corridor.

The Loch Raven Village community has a community conservation plan which addresses our concerns and desires for this area of Joppa Road. It should also be noted that the owner of the Towson East Motel has not been what would be considered a good neighbor in the past. We have always had problems with the general maintenance of this property in areas where it abuts Loch Raven Village homes.

I would again like to recommend denial of the special exception and variance requested in case #92-58.

Sincerely,

John M. McCombe, D.D.S.
President

PROTESTANT'S
EXHIBIT 3

P.O. BOX 9721 • TOWSON, MARYLAND • 21204-1221

Towson Estates Association, Inc. Towson, Maryland

828 East Joppa Road
Towson, Maryland 21204
October 5, 1991

Mr. Lawrence Schmidt
Zoning Commissioner
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Case #92-58
Bassoff Property, Item #55

Dear Mr. Schmidt:

The Towson Estates Association, Inc. strongly opposes the petitioners request for a Special Exception for an illuminated 12' X 25' advertising sign and a Variance from section 238.2 of the Baltimore County Zoning Regulations to allow a side yard of 10' in lieu of the required 30'.

Our Association believes that it is in the best interest of our community along the Joppa Road corridor, that this request be denied. Our reasons are as follows:

1. This sign would most certainly be a nonconforming use creating visual clutter.
2. The outdoor advertising sign of this magnitude would clearly compromise public safety and traffic safety.
3. With all the illuminated signage along the Joppa Road the granting of this Special Exception and Variance for a 300 sq. ft. sign would most certainly create a domino effect. In order to keep the competitive edge other businesses will be asking for the same Special Exception and Variance. Clearly this competitive waste is not what this area needs.
4. The petitioners site is located within the Towson Community Plan area and next to a Community Conservation Area making the sign and use incompatible.

In summary, the Towson Estates Association, Inc. urges the Zoning Commissioner to deny the petitioners request for a Special Exception and Variance in case #92-58 for incompatibility.

Sincerely,
Martha H. Clarke
(Mrs.) Martha H. Clarke
President

cc County Council President
Douglas Riley
Zoning Administration and
Development Management
Arnold Jablon

PROTESTANT'S
EXHIBIT 4

PROTESTANT'S EXHIBIT 5

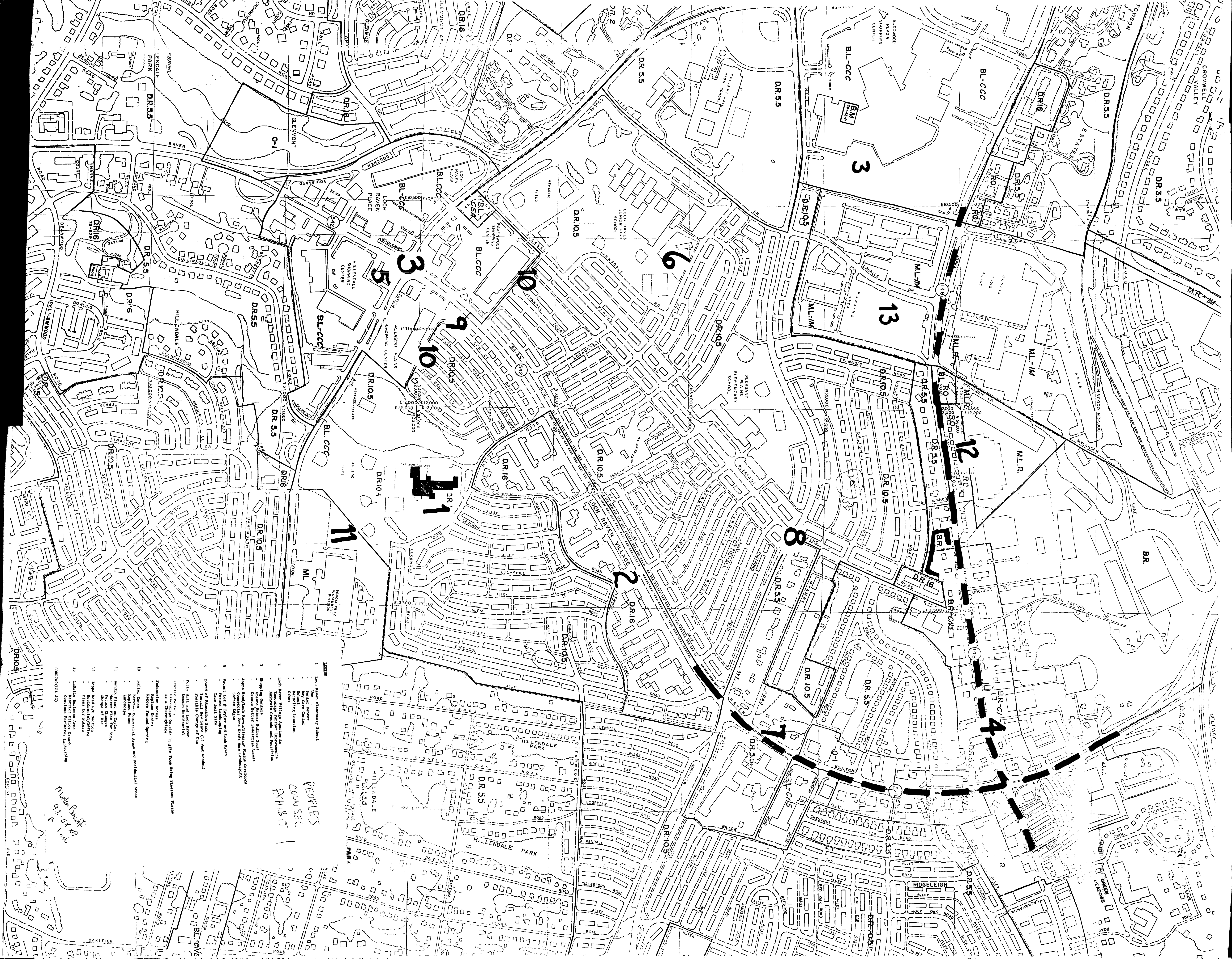
H. COMMERCIAL CORRIDOR IMPROVEMENTS

13. The Joppa Road corridor (pictured below) from Towson Marketplace to Oakleigh Avenue needs more landscaping and some physical improvements to improve the commercial image. Although this area is not within the physical boundaries of the Association, its commercial influence has wide-ranging implications for Loch Raven Village. See Appendix N for a listing of the businesses in the described area.



Recommendations: The Association will approach Baltimore County about studying the zoning of this corridor, specifically, the area from Mylander Lane to Oakleigh Road in an effort to explore the possibility of rezoning for better residential compatibility and commercial usage. The current zoning of B.R. - C.U.B. is intensive for this area.

This study could be done in conjunction with a revitalization plan for the Joppa Road corridor. This plan could address the multiple curb cuts and turning movements, visual clutter, minimal landscaping and increased vehicular traffic.



- LEGEND
1. Loch Raven Elementary School
 2. Senior Center
 3. Day Care Center
 4. Recreational Location
 5. Other
 6. Shopping Center
 7. Knowledge District
 8. Knowledge District
 9. Knowledge District
 10. Knowledge District
 11. Knowledge District
 12. Knowledge District
 13. Knowledge District

PEOPLES
COUNCIL
EXHIBIT

Map of Hillendale
9-1-58



**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP**

William A. Howard III
Chairman, County Council

DATE
OF
PHOTOGRAPHY
JANUARY
1986

EXHIBIT 2
BAYNESVILLE
LOCHRAVEN
VILLAGE

NE.
9-C

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

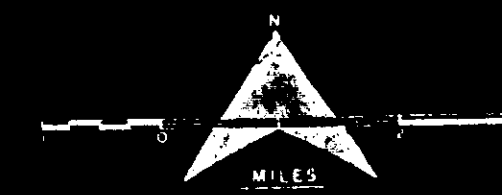
SCALE 1" = 200'
DATE OF PHOTOGRAPHY JANUARY 1986
LOCATION BAYNESVILLE
SHEET 9-C



22" 17" 11" 8.5" 5.5" 11" 17" 22"

COMMERCIAL MOTORWAYS

CLASS I COMMERCIAL MOTORWAY
CLASS II COMMERCIAL MOTORWAY
FREEWAYS AND EXPRESSWAYS
OTHER SELECTED ROADS



BALTIMORE COUNTY

MAY 3, 1968
MARYLAND

OFFICIAL MAP ADOPTED UNDER BILL
NO. 23, 1968. EFFECTIVE DATE:
JUNE 29, 1968

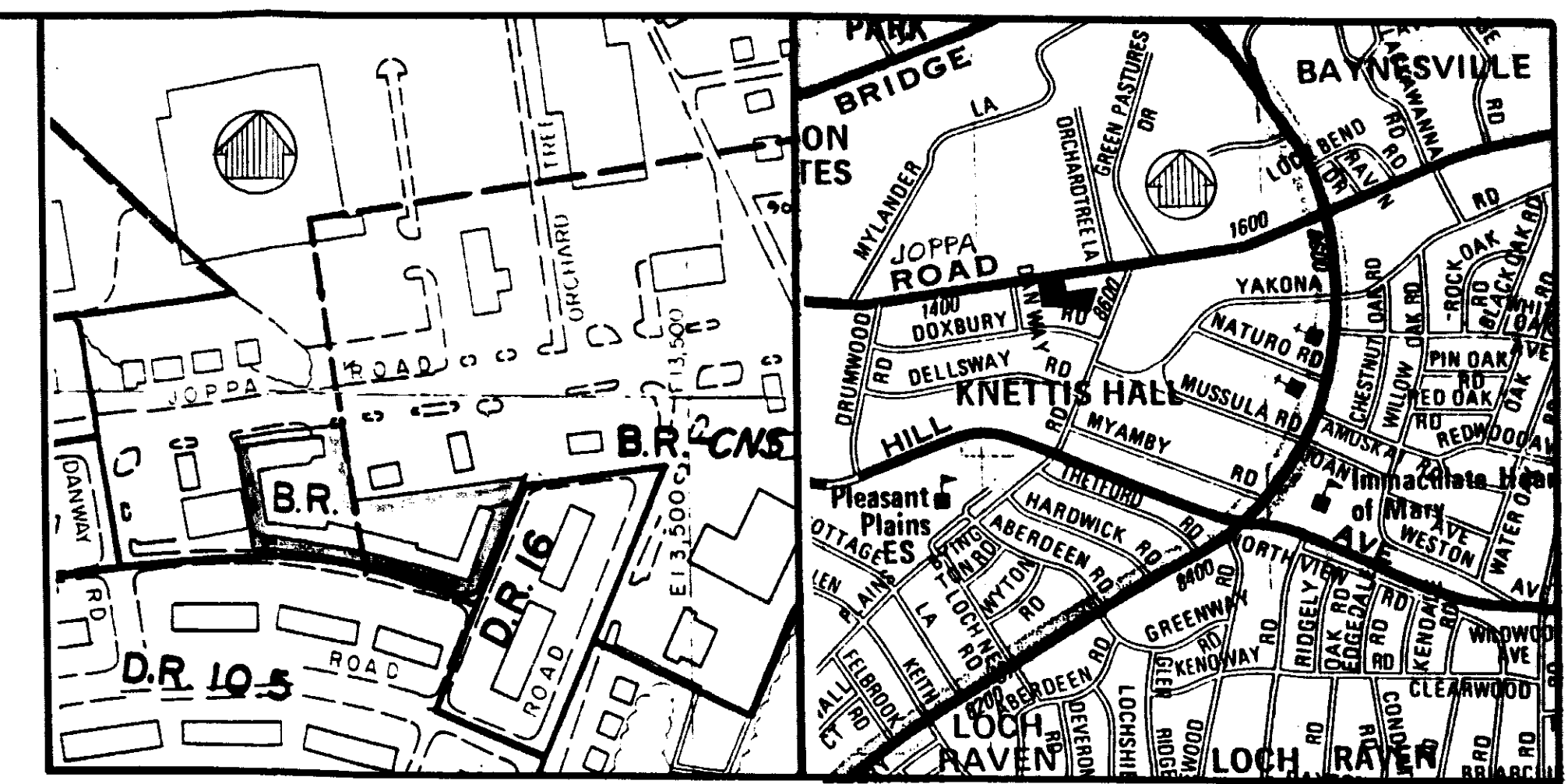
HARFORD COUNTY

BALTIMORE
CITY

ANNE ARUNDEL
COUNTY

Plat Ex. 5

22" 17" 11" 8.5" 5.5" 11" 17" 22"



ZONING MAP
SCALE: 1" = 200'

LOCATION MAP
SCALE: 1" = 1000'

ZONING NOTES

1. Prior Cases:
 - a. No. 78-153 A; February 27, 1978: Variance to permit a front yard of 10' instead of the required 25'; to permit a building 45' from the centerline of a street (Joppa Road) instead of the required 50'; to permit and validate an existing side yard of 3' instead of the required 30'; a new motel addition with a side yard of 0' instead of the required 30'; and to permit and validate an existing nonconforming front yard of 10' instead of the required 30.5' based on the setback averages of structures on adjoining properties. GRANTED subject to approval of the site plan by the Department of Public Works and the Office of Planning and Zoning.
 - b. No. 5250-X; May 11, 1961: Special Exception to allow a motel use GRANTED subject to approval of the site plan by the Office of Planning and Zoning and the Division of Land Development.
 - c. No. 3718-X; February 2, 1956: Special Exception to allow a Gasoline Service station use GRANTED subject to approval of the site plan by the State Roads Commission, Bureau of Land Development, and the Planning Board of Baltimore County.
2. Gross Area = 52247 s.f. (1.199 ac +/-)
Net Area = 48047 s.f. (1.103 ac +/-)
3. Title Reference: Marks Enterprise Inc. 4779/622
4. Existing Zoning: BR and BR-CNS with special exceptions and variances as indicated in Prior Cases.
5. Proposed Zoning: BR and BR-CNS with a special exception for an outdoor advertising sign and an additional variance to section 238.2 to allow side yard of 0' in lieu of the required 30'.
6. Existing Use: Motel (60 units)
7. Proposed Use: Motel (60 units) with outdoor advertising sign.
8. All Existing Structures On Site To Remain: Existing motel gross floor area 20358 s.c.
9. Floor Area Ratio: 20358/52247 = 0.39 (max. allowed 2.0)
10. Off Street Parking
 1. Parking Required @ 1 space per unit (60 units) = 60 spaces
 2. Total Spaces Required = 60
 3. Total Spaces Provided = 60
 4. Minimum Parking Space: 8.5' x 18'
 5. All Paved Surfaces Are Bituminous Concrete.
11. Building Setback Requirements
 - Front - 10' (variance granted in case 78-153)
 - Side - 30'
 - Rear - 17' (variance granted in case 78-153)
12. Setbacks Provided (For Proposed Sign Only):
 - Front - 45'
 - Side - 0'
 - Rear - 103'
13. Section 413.3 Notes
 - A. Total Surface Of Sign Area = 300 s.f.
 - B. Sign is located at/or beyond the minimum front yard requirement for a commercial building.
 - C. Sign is located more than 100' from an intersection involving a dual lane highway and 50' from an intersection of any street.
14. Section 413.5 Notes (BCZR)
 - A. Maximum sign height is 25'.
 - B. Illumination is confined to the surface of the sign and is directed to the face of the sign only.
15. The property outline shown hereon is based on deeds, plats, as-1 other sources. It does not represent a field survey, or property determination.

PETITIONER'S EXHIBIT 1

OWNER:
Marks Enterprises, Inc.
1507 East Joppa Road
Towson, Maryland 21204
Property I.D. No. 0913209630

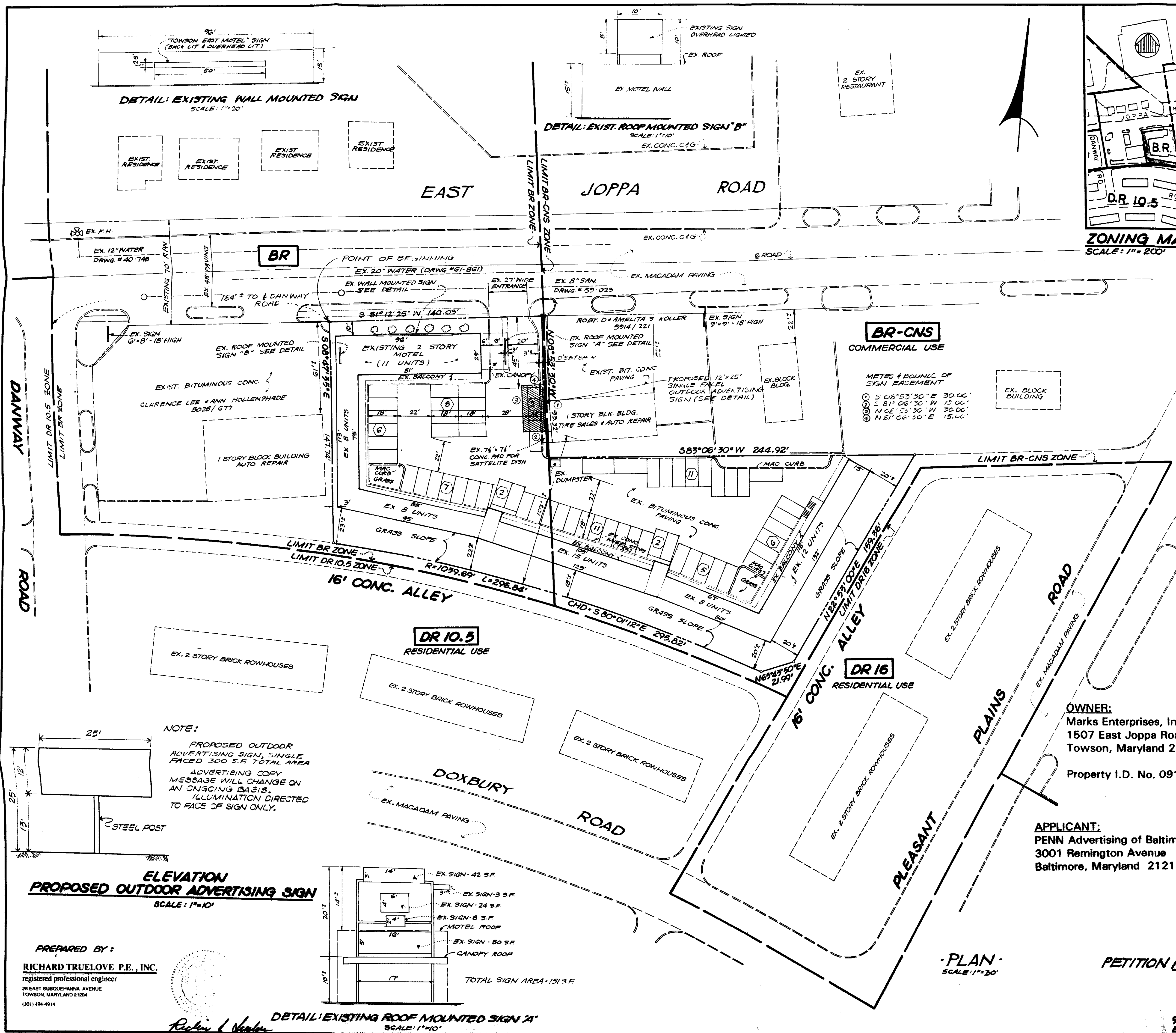
APPLICANT:
PENN Advertising of Baltimore, Inc.
3001 Remington Avenue
Baltimore, Maryland 21211

PLAT TO ACCOMPANY
PETITION FOR SPECIAL EXCEPTION AND ZONING VARIANCE
PENN ADVERTISING, INC.

1507 EAST JOPPA ROAD

9TH ELECTION DISTRICT 4TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND AUGUST 20, 1991

Revised Plans - 8/14/91
92-58-X
#55



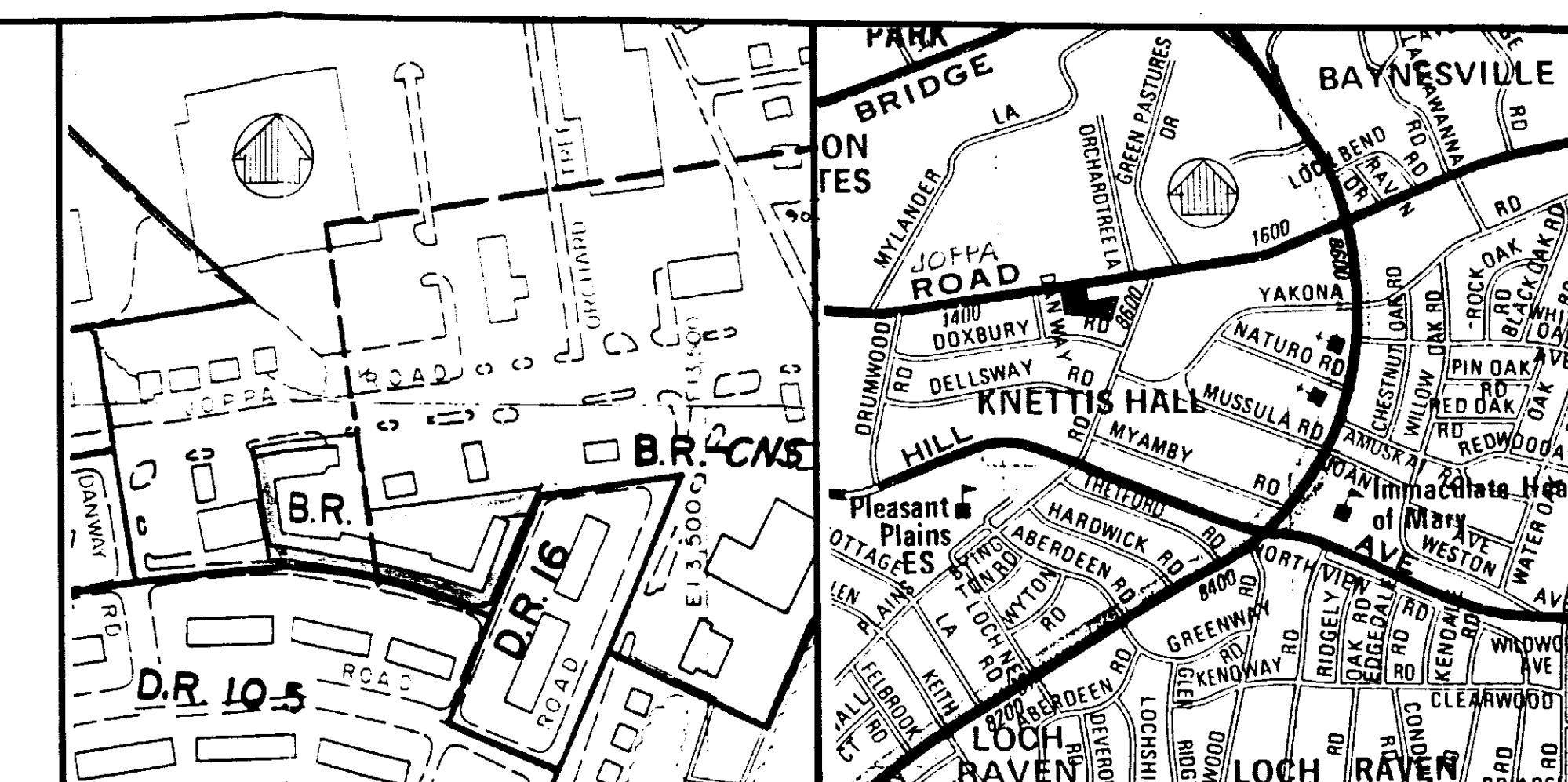
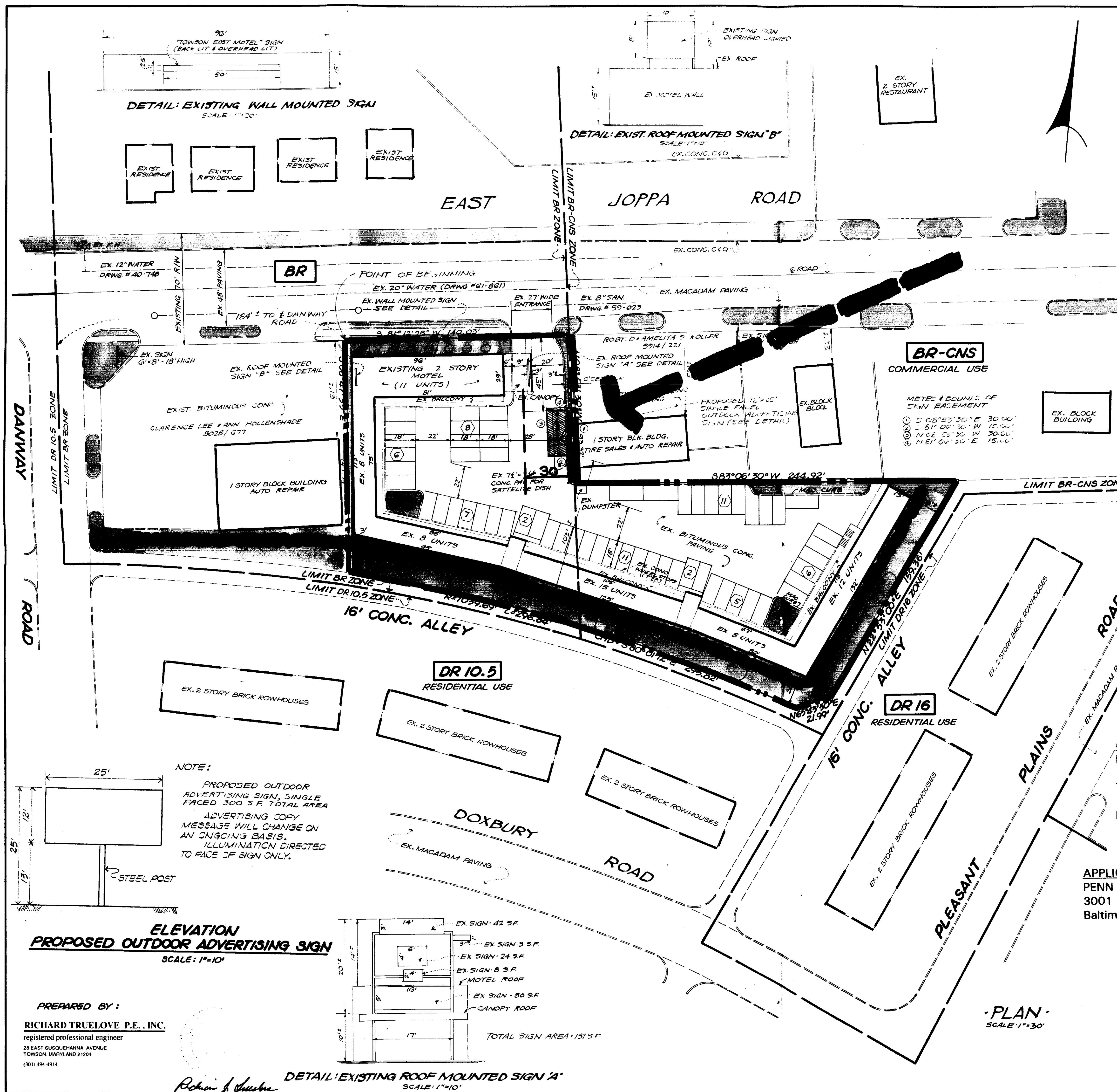
DETAIL: EXISTING WALL MOUNTED SIGN
SCALE: 1" = 20'

DETAIL: EXIST. ROOF MOUNTED SIGN "B"
SCALE: 1" = 10'

ELEVATION
PROPOSED OUTDOOR ADVERTISING SIGN
SCALE: 1" = 10'

DETAIL: EXISTING ROOF MOUNTED SIGN "A"
SCALE: 1" = 10'

PREPARED BY:
RICHARD TRUELOVE P.E., INC.
registered professional engineer
28 EAST SUBQUERMANA AVENUE
TOWSON, MARYLAND 21204
(301) 494-4914

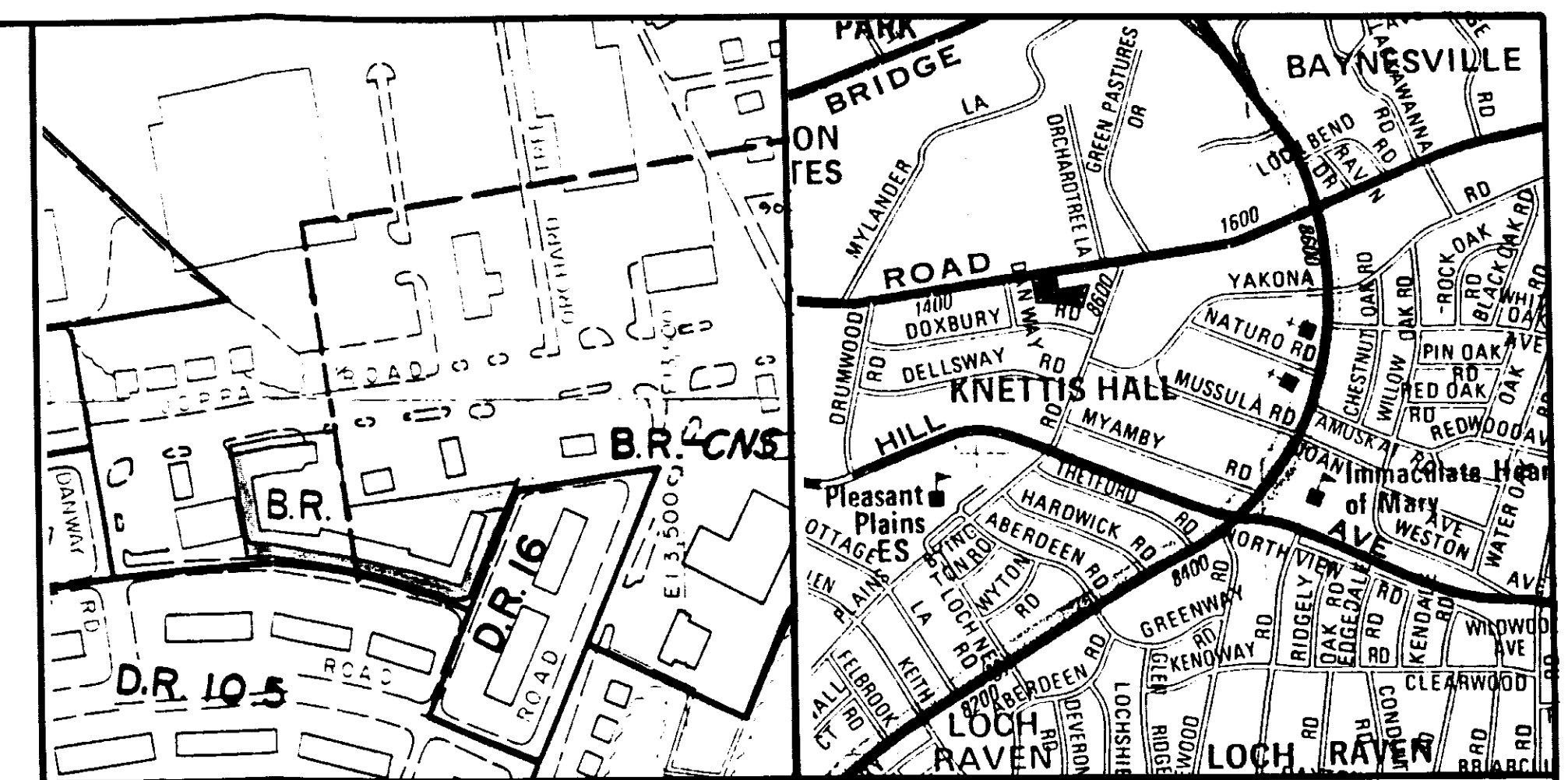


- ZONING NOTES**
- Prior Cases:
 - No. 78-153 A; February 27, 1978: Variance to permit a front yard of 10' instead of the required 25', a building 45' from the centerline of a street (Joppa Road) instead of the required 50'; to permit and validate an existing side yard of 3' instead of the required 30'; a new motel addition with a side yard of 0' instead of the required 30'; and to permit and validate an existing nonconforming front yard of 10' instead of the required 30.5' based on the setback averages of structures on adjoining properties. GRANTED subject to approval of the site plan by the Department of Public Works and the Office of Planning and Zoning.
 - No. 5250-X; May 11, 1961: Special Exception to allow a motel use GRANTED subject to approval of the site plan by the Office of Planning and Zoning and the Division of Land Development.
 - No. 3718-X; February 2, 1956: Special Exception to allow a Gasoline Service station use GRANTED subject to approval of the site plan by the State Roads Commission, Bureau of Land Development, and the Planning Board of Baltimore County.
 - Gross Area = 52247 s.f. (1.199 ac. +/-)
Net Area = 48047 s.f. (1.103 ac. +/-)
 - Title Reference: Marks Enterprise Inc. 4779/622
 - Existing Zoning: BR and BR-CNS with special exceptions and variances as indicated in Prior Cases.
 - Proposed Zoning: BR and BR-CNS with a special exception for an outdoor advertising sign and an additional variance to section 238.2 to allow side yard of 0' in lieu of the required 30'.
 - Existing Use: Motel (60 units)
 - Proposed Use: Motel (60 units) with outdoor advertising sign.
 - All Existing Structures On Site To Remain: Existing motel gross floor area 20358 s.c.
 - Floor Area Ratio: 20358/52247 = 0.39 (max. allowed 2.0)
 - Off Street Parking
 - Parking Required @ 1 space per unit (60 units) = 60 spaces
 - Total Spaces Required = 60
 - Total Spaces Provided = 60
 - Minimum Parking Space: 8.5' x 18'
 - All Paved Surfaces Are Bituminous Concrete.
 - Building Setback Requirements
 - Front - 10' (variance granted in case 78-153)
 - Side - 30'
 - Rear - 17' (variance granted in case 78-153)
 - Setbacks Provided (For Proposed Sign Only):
 - Front - 45'
 - Side - 0'
 - Rear - 103'
 - Section 413.3 Notes
 - Total Surface Of Sign Area = 300 s.f.
 - Sign is located at/or beyond the minimum front yard requirement for a commercial building.
 - Sign is located more than 100' from an intersection involving a dual lane highway and 50' from an intersection of any street.
 - Section 413.5 Notes (BCZR)
 - Maximum sign height is 25'
 - Illumination is confined to the surface of the sign and is directed to the face of the sign only.
 - The property outline shown hereon is based on deeds, plats, and other sources. It does not represent a field survey, or property determination.

EXHIBIT 6

PLAT TO ACCOMPANY
PETITION FOR SPECIAL EXCEPTION AND ZONING VARIANCE
PENN ADVERTISING, INC.
1507 EAST JOPPA ROAD

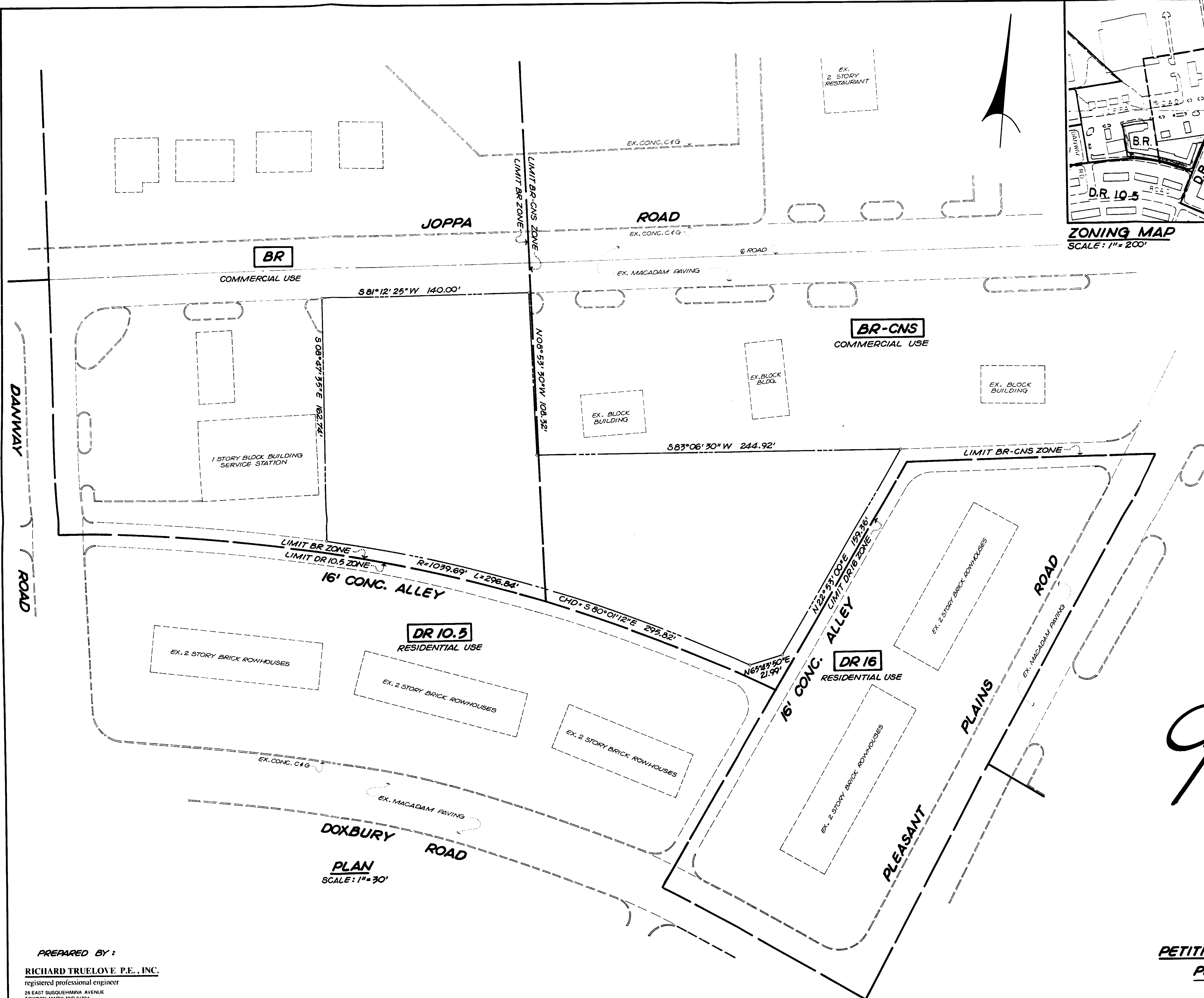
9TH ELECTION DISTRICT 4TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND AUGUST 20, 1991



ZONING MAP
SCALE: 1" = 200'

LOCATION MAP
SCALE: 1" = 1000'

ZONING NOTES



PLAN
SCALE: 1" = 30'

92-58-X

#55

**PLAT TO ACCOMPANY
PETITION FOR SPECIAL EXCEPTION
PENN ADVERTISING, INC.**

1507 EAST JOPPA ROAD

9TH ELECTION DISTRICT 4TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND AUGUST 2, 1991

PREPARED BY:
RICHARD TRUELOVE P.E., INC.
registered professional engineer
28 EAST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
(301) 941-9914

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Case Number: 92-58-X
S/S East Joppa Road, 200' E of c/l Danney Road
1507 East Joppa Road
9th Election District - 4th Councilmanic
Legal Owner(s): Morton Bassoff
Contract Lessor: Penn Advertising of Baltimore, Inc.
Hearing Date: Tuesday, Oct. 8, 1991 at 9:00 a.m.
Special Exception: for a single-face one illuminated 12 ft. x 25 ft. poster panel.
Zoning Commissioner of Baltimore County
TTJ/0907 September 5.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 9/5, 1991
THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9/5, 1991.

TOWSON TIMES,

S. Zebe Olson

Publisher

\$ 84.29

CERTIFICATE OF PUBLICATION

TOWSON, MD., 9/5, 1991
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9/5, 1991.

THE JEFFERSONIAN,

S. Zebe Olson

Publisher

\$ 84.29

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Zoning Commissioner of Baltimore County
TTJ/09118 September 12.

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S. Zebe Olson

Publisher

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Zoning Commissioner of Baltimore County
TTJ/09118 September 12.

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date

Account: R-001-6150
Number

044044002500-460 \$175.00
SA 0025514409-07-91

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date

Account: R-001-6150
Number

92-58-XA

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date

Account: R-001-6150
Number

Please Make Checks Payable To: Baltimore County

Cashier Validation

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DATE: 9/23/91

Penn Advertising of Baltimore, Inc.
3001 Remington Avenue
Baltimore, MD 21211

RE:
CASE NUMBER: 92-58-X
S/S East Joppa Road, 200' E of c/l Danney Road
1507 East Joppa Road
9th Election District - 4th Councilmanic
Legal Owner(s): Morton Bassoff
Contract Lessor: Penn Advertising of Baltimore, Inc.
HEARING: TUESDAY, OCTOBER 8, 1991 at 9:00 a.m.

Dear Petitioner(s):

Please be advised that \$ 259.38 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

Fred Lauer

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

AUGUST 20, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

CASE NUMBER: 92-58-X
S/S East Joppa Road, 200' E of c/l Danney Road
1507 East Joppa Road
9th Election District - 4th Councilmanic
Legal Owner(s): Morton Bassoff
Contract Lessor: Penn Advertising of Baltimore, Inc.
HEARING: TUESDAY, OCTOBER 8, 1991 at 9:00 a.m.

Special Exception for a single-face one illuminated 12 ft. x 25 ft. poster panel.

J. Robert Huie

Zoning Commissioner of
Baltimore County

cc: Morton Bassoff
Penn Advertising of Baltimore, Inc.
Fred Lauer

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

September 25, 1991

Fred M. Lauer, Esquire
3001 Remington Avenue
Baltimore, MD 21211

RE: Item No. 55, Case No. 92-58-XA
Petitioner: Morton Bassoff
Petition for Zoning Variance

Dear Mr. Lauer:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



Your petition has been received and accepted for filing this 21th day of August, 1991.

Arnold J. Jelson
ARNOLD JELSON
DIRECTOR

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Morton Bassoff

Petitioner's Attorney: Fred M. Lauer



700 East Joppa Road, Suite 901
Towson, MD 21204-5500

(301) 887-4500

SEPTEMBER 18, 1991

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: REVISED PETITIONS AND DESCRIPTIONS AND
PLANS WERE RECEIVED FOR

Location: CASE #92-58-X

Item No.: #55 Zoning Agenda: AUGUST 21, 1991

Comments:

Pursuant to your request, the referenced property has been surveyed by
this Bureau and the comments below are applicable and required to be
corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *[Signature]* Roted and
Approved: *[Signature]* Fire Prevention Bureau
Planning Group
Special Inspection Division

JF/REK

RE: *[Faint text]*

RE: *[Faint text]*

RE: *[Faint text]*

RE: *[Faint text]*

RE: *[Faint text]*

RE: *[Faint text]*

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RE: *[Faint text]*

RE: *[Faint text]*

Page 2
Item No. 239
September 18, 1991

The applicant's site is located within the Towson Community Plan
area along the Joppa Road commercial strip and adjacent to a
community conservation area. The Loch Raven Village Community
Conservation Plan contains specific recommendations concerning the
Joppa Road commercial strip between Mylander Lane and Oakleigh Road.
A revitalization plan is being requested in which Baltimore County
will address problems along the Joppa Road corridor e.g.; multiple
curb cuts, visual clutter and substandard landscape treatment. The
motel site contains all three of the above referenced problems.
The existing roof and wall signs are unsightly. The existing visual
clutter will be exacerbated if this request is granted.

In summary, staff suggests that the petitioner's request be
denied since the use is incompatible with the adjacent residential
communities. Future development should provide consistently
attractive design components to enhance the built environment.

If there should be any further questions or if this office can
provide additional information, please contact Jeffrey Long in the
Office of Planning at 887-3211.

PK/JL:rdn
ITEM239/TXTROZ

Important Note:

92-58-X

The petitioner, Penn Advertising of Baltimore,
Inc., insisted on filing this petition for Special
Exception. The petition packet and site plan are
incomplete, but because of Bill 87-91 which will
delete the outdoor advertising sign in the B.R.
zone, the petitioner had 45 days from the
signing of this bill to file their petition.
They will be filing an amended plan and
complete packet within two weeks of this
original filing date. The petitioner was made
aware that they will be required to pay any
amendment or added hearing fees. It was
the petitioner's advice from the Executive Office
to file within 45 days and then amend
if necessary.

Mitchell Kellman

55

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: September 26, 1991

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: August 20, 1991

This office has no comments for item numbers 45, 52, 55, 56, 57, 58,
59, 60, 61 and 63.

[Signature]
Rahee J. Famili
Traffic Engineer II

RJF/lvd

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon DATE: September 19, 1991
Zoning Administration and
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Bassoff Property, Item No. 55

The petitioner requests a Special Exception for an illuminated
12' x 25' advertising sign and a variance from section 238.2 of
the Baltimore County Zoning Regulations to allow a side yard of
'0 in lieu of the required 30'.

Staff believes the control of outdoor advertising signs is
essential in protecting the health, safety and welfare of the
citizens of Baltimore County. In certain locations, the unique scale
and design of outdoor advertising signs clearly compromises public
safety and traffic safety, since these signs are distracting. The
very purpose of an outdoor advertising sign is to attract the
attention of the operator of motor vehicles, so that a commercial
message is noticed.

This office recognizes that high standards for signs enhance
the aesthetic appearance of the community and the ability of the
commercial sector to thrive in an attractive environment.

In many commercial areas it is difficult to locate commercial
uses: not because of a general lack of signs, but because of
excessive sign size which has been exacerbated by competitive waste.
In many areas of the county, some business people increase signage
in order to compete with each other for attention.

The Baltimore County Master Plan makes several references to
the importance of controlling signage, specially on Page 74, in the
following issue is identified:

"The sign regulations need to be completely updated
and revised. The regulations should distinguish
between new and existing signs, as well as public
and private signage. Incentives for ... phasing out
nonconforming uses should be evaluated. Compliance
with adopted local community plans should also be
considered."

APPEAL

Petition for Special Exception and Zoning Variance
S/S East Joppa Road, 200' E of the c/l of Danway Road
(1507 E. Joppa Road)
9th Election District - 4th Councilmanic District
MORTON BASSOFF - Petitioner
Case No. 92-58-XA

Petition(s) for Special Exception and Zoning Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel (None submitted)

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments (Included with ZAC Comments)

Petitioner's Exhibits: 1. Plat to accompany Petition (Revised 8/21/91)

2. MVA Traffic Accident Summary

3A & 3B - Photographs

4. List of Businesses using outdoor ?

Protestant's Exhibits: 1. Photographs

2. Letter of opposition from Livingston

3. Letter of opposition from McCombe

4. Letter of opposition from Clarke

5. Recommendation of improvements

Deputy Zoning Commissioner's Order dated October 15, 1991 (Denied)

Notice of Appeal received November 13, 1991 from Fred M. Lauer,
Attorney on behalf of Penn Advertising, Inc.

cc: Morton Bassoff - 1507 E. Joppa Road, Towson, MD 21204

Fred M. Lauer, Esquire, P.O. Box 4868, Baltimore, MD 21211

John Barry, 1551 Dellsway Road, Baltimore, MD 21204

Wayne Skinner, 1813 Edgewood Road, Baltimore, MD 21234

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
Lawrence E. Schmidt, Zoning Commissioner
Timothy M. Kotroco, Deputy Zoning Commissioner
James E. Dyer, Zoning Supervisor
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, Director of Zoning Administration
and Development Management
Public Services

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

November 25, 1991

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Special Exception and Zoning Variance
S/S East Joppa Road, 200' E of the c/l of Danway Road
(1507 E. Joppa Road)
9th Election District, 4th Councilmanic District
MORTON BASSOFF - Petitioner
Case No. 92-58-XA

Dear Board:

Please be advised that an appeal of the above-referenced case was
filed in this office on November 13, 1991 by Fred M. Lauer, Attorney
on behalf of Penn Advertising of Baltimore, Inc.. All materials
relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the
appeal hearing when it has been scheduled. If you have any questions
concerning this matter, please do not hesitate to contact this office.

Very truly yours,

[Signature]
Zoning Commissioner

LES:cer

Enclosures

cc: Morton Bassoff - 1507 E. Joppa Road, Towson, MD 21204

Fred M. Lauer, Esquire, P.O. Box 4868, Baltimore, MD 21211

John Barry, 1551 Dellsway Road, Baltimore, MD 21204

Wayne Skinner, 1813 Edgewood Road, Baltimore, MD 21234

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

File